

**MINUTES**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**JOINT COMMITTEE ON RULES**

**Call to Order:** CHAIRMAN JIM PETERSON, on December 15, 2008 at  
1:00 P.M., in Room 152 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Jim Peterson, Chairman (R)  
Sen. Gregory D. Barkus (R)  
Sen. Roy Brown (R)  
Sen. Mike Cooney (D)  
Sen. John Esp (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Bob Hawks (D)  
Sen. Jesse Laslovich (D)  
Sen. Dan McGee (R)  
Sen. Bob Story Jr. (R)  
Sen. Carol Williams (D)  
Rep. Dan Villa, Chairman (D)  
Rep. Margaret H. Campbell,  
Rep. Shannon Augare (D)  
Rep. Bob Bergren (D)  
Rep. Mark Blasdel (R)  
Rep. Julie French (D)  
Rep. Bill E. Glaser (R)  
Rep. Deborah Kottel (D)  
Rep. Bob Lake (R)  
Rep. Mike Phillips (D)  
Rep. Scott Sales (R)  
Rep. Jon Sonju (R)

**Members Excused:** None.

**Members Absent:**

Sen. John Brenden (R)  
Sen. Steven Gallus (D)  
Sen. Kim Gillan (D)  
Sen. David Wanzienried (D)  
Rep. Scott Mendenhall (R)  
Rep. Wendy Warburton (R)

**Staff Present:** Greg Petesch, Legislative Branch  
Karlle Hill, Secretary

**Audio Committees:** These minutes are in outline form only.

They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:** LC8001 and Proposed Changes

1:22 pm Sen. Peterson called the meeting to order.

**Discussion:**

**Greg Petesch, Director Legal Services,** reviewed the proposed changes.

[EXHIBIT\(rus00b01\)](#)

[EXHIBIT\(rus00b02\)](#)

**Rep. Villa** raised a question regarding Joint Rule 10-80.

**Sen. McGee** questioned whether the proposed change in 10-100 whereby Journal Clerks would be hired by Legislative Services would hinder the ability of the Secretary of the Senate and the Chief Clerk of the House to do their job.

**Motion:** Sen. McGee moved to strike amendment to 10-100 Item Sub 3.

**Discussion:** Sen. Cooney addressed some of Sen. McGee's concerns.

**Motion:** Sen. Gebhardt made a substitute motion.

**Discussion:**

Sen. Gebhardt  
Sen. McGee  
Sen. Lake

Without objection **Sen. Gebhardt** withdrew his substitute motion.

**Motion:** Rep. Lake moved a substitute motion to remove the word "employ" leaving the proposed rule change to state "Legislative Services shall train the journal clerk."

**Discussion:**

Rep. Villa  
Greg Petesch  
Sen. Esp  
Sen. McGee  
Sen. Cooney  
Sen. Storey  
Rep. Kottel  
Sen. McGee

**Vote:** House - Motion CARRIED by unanimous by roll call vote.  
Senate - Motion carried 8-7 vote; Sens. Cooney, Esp, Gillan, Hawks, Laslovich, Wanzenried and Williams voting no. Sens. Gillan and Wanzenried voted by proxy.

**Discussion:**

Sen. McGee 10-120 Subsection 3.  
Greg Petesch  
  
Sen. Barkus  
Greg Petesch

**Motion:** Sen. Bergren moved to amend 40-40 Subsection 2B by changing the date from Nov 1 to Nov 15.

**Discussion:**

Sen. McGee  
Sen. Bergren

**Vote:** House - Motion carried by unanimous voice vote.  
Senate - Motion carried by unanimous voice vote.

**Motion/Vote:** Sen. Story moved to change date on 40-40 Subsection 5A from December 5 to December 15. House -- Motion carried by unanimous voice vote. Senate -- Motion carried by unanimous voice vote.

**Discussion:**

Rep. Villa question on 40-60 Sub K.  
Greg Petesch  
Rep. Villa

**Greg Petesch**  
**Sen. Barkus**  
**Greg Petesch**

**Motion/Vote:** Rep. Bergren moved that a bill request be drafted to move forward on LC8000. House - Motion carried by unanimous voice vote. Senate - Motion carried by unanimous voice vote.

**Discussion:**

**Greg Petesch** commented on the ability to pre-introduce the Rules.

**Sen. Peterson** asked if there was any objections from leadership in the house or senate. There was none.

**Rep. Glaser** commented on the fact that the committee isn't really a committee until they are sworn in.

**Sen. Story** noted the irony that the setup of the Rules Committee adopting changes submitted by Legislative services and it takes a majority vote to not support the changes.

**Sen. Gebhardt** commented on the rules already designate who carries the rules bills.

**ADJOURNMENT**

Adjournment: 2:10 P.M.

---

SEN. JIM PETERSON, Chairman

---

Karlie Hill, Secretary

JP/kh

Additional Exhibits:

**EXHIBIT ([rus00bad.pdf](#))**